

JAN 25 2000

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

TI Group Automotive Systems, Corp.,)
)
Plaintiff,)
)
v.)
)
Honeywell International Inc.)
)
Defendant.)

00-70408

DEMAND FOR
JURY TRIAL

GEORGE E. WOODS

MAGISTRATE JUDGE CAMPBELL

COMPLAINT FOR DECLARATORY JUDGMENT AND JURY DEMAND OF
TI GROUP AUTOMOTIVE SYSTEMS, CORP.

TI Group Automotive Systems, Corp (hereinafter "TI Group Automotive"), for
its complaint states and alleges as follows:

Jurisdiction and Venue

1. This is an action for declaratory relief pursuant to the laws as set
forth in Title 28 of the United States Code, and particularly, 28 U.S.C. §§ 2201 and
2202. Jurisdiction in this Court is based on 28 U.S.C. §§ 1331 and 1338(a). Venue is
proper in this judicial district under 28 U.S.C. §§ 1391 and 1400.

The Parties

2. TI Group Automotive is a Michigan corporation with its principal
place of business at 12345 East Nine Mile Road, Warren, Michigan 48090.

3. Upon information and belief, AlliedSignal Inc., changed its name
to Honeywell International Inc. in connection with the merger involving AlliedSignal Inc.
and Honeywell Inc., which became effective after the close of trading on the New York
Stock Exchange on December 1, 1999.

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4. Upon information and belief, Defendant Honeywell International Inc. (hereinafter "Honeywell"), is a Delaware corporation with a place of business at 1746 Thunderbird Street, Troy, Michigan 48084 and its principal place of business at 101 Columbia Road, Morristown, NJ 07962.

Cause of Action for Declaratory Judgment

5. TI Group Automotive seeks a declaratory judgment declaring that United States Patent No. 5,164,879, including reexamination certificate B1 5,164,879 (hereinafter "'879 Patent") was not obtained in a manner consistent with the provisions of Title 35, United States Code and is thus invalid and/or unenforceable. More specifically, the '879 Patent is invalid and/or unenforceable for failure to comply with one or more of the conditions for patentability set forth in 35 U.S.C. §§101, 102, 103, 112, 132, 253 and 288. A copy of the '879 Patent is attached hereto as Exhibit A.

6. TI Group Automotive seeks a declaratory judgment declaring that TI Group Automotive does not make, use or sell, and has not made, used or sold in the United States or elsewhere any product which infringes any valid or enforceable claim of the '879 Patent, either directly or indirectly, or contributorily, and has not induced any other to infringe the '879 Patent.

7. Honeywell has given TI Group Automotive formal written notice of alleged infringement of the '879 Patent by letters dated January 11, 2000 and April 21, 1999, copies of which are attached hereto as Exhibit B. As a result, TI Group Automotive has a reasonable apprehension that suit will be brought against it by Honeywell under the '879 Patent.

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8. An actual controversy exists between TI Group Automotive and Honeywell with respect to the validity, infringement and enforceability of the '879 Patent by at least the formal written notice of alleged infringement of the '879 Patent by letters dated January 11, 2000 and April 21, 1999.

Demand For Relief

WHEREFORE, TI Group Automotive requests the following relief:

A. Enter a judgment or decree declaring that the '879 Patent is invalid and unenforceable;

B. Enter a judgment or decree declaring that the '879 Patent is not infringed by any products currently or previously made, used, or sold by TI Group Automotive.

C. Enter a judgment or decree that it is the right of TI Group Automotive and any buyers, sellers, or users of TI Group Automotive products, to continue to make, use, and sell such products, without any threat or other interference whatsoever against them by Honeywell or any person or entity in privity with Honeywell, based on or arising out of the ownership of the '879 Patent or any interest herein;

D. Enjoining Honeywell and any person or entity in privity with Honeywell from prosecuting or bringing or threatening to bring any action against TI Group Automotive or any buyers, sellers, or users of TI Group Automotive products for the manufacture, sale, or use of technology covered the '879 Patent.

E. Award TI Group Automotive its reasonable cost, expenses and attorney fees in this action, this being an exceptional case; and

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F. Award TI Group Automotive such other and further relief as this Court may deem just and equitable.

JURY DEMAND

TI Group Automotive hereby demands a trial by jury.

Dated: January 25, 2000



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UNITED STATES DISTRICT COURT
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ADDITIONAL
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THAT WERE NOT
SCANNED